

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

JUAN NEELY,)	
)	
Plaintiff,)	
)	
v.)	No. 12 C 2231
)	
MICHAEL P. RANDLE, et. al.)	Judge Matthew Kennelly
)	
Defendants.)	JURY TRIAL DEMANDED

PLAINTIFF'S STATUS REPORT REGARDING DISCOVERY

NOW COMES Plaintiff, JUAN NEELY, by and through his attorneys, LOEVY & LOEVY, and respectfully submits this Status Report regarding post grievance production discovery:

1. On March 6-7, 2014 counsel for the IDOC produced more than two thousand pages of inmate grievances from Stateville and Pinckneyville Correctional Centers, as well as from the Administrative Review Board. These grievances relate primarily to dental care and to the transfer policies at the above-mentioned institutions.

2. On February 5, 2014, this Court directed Plaintiff to file a report regarding any follow-up discovery Plaintiff thought was necessary after reviewing the produced grievances.

3. While the names of the grievants were redacted, Plaintiff has nevertheless reviewed all grievances produced and seeks the following limited follow-up discovery:

Rule 404(b)(2) Witnesses:

4. Based on his review of the grievances, a number of the grievants have startlingly similar claims of untreated tooth abscesses and failure to provide dental care at Stateville NRC and Pinckneyville. These witnesses also experienced these conditions around the same time, and

at the same institutions, as Plaintiff. Accordingly, Plaintiff will disclose no more than ten Rule 404(b) witnesses by the time of the status in this matter tomorrow morning. These witnesses will be disclosed by grievance number, because their names were redacted by IDOC. Plaintiff also intends to seek unredacted copies of the grievances filed by these 404(b)(2) witnesses, as well as the relevant medical records for these witnesses.

Additional Grievances (if any):

5. In this Court's Order regarding Plaintiff's December 16, 2013 Motion to Set a Discovery Schedule, this Court held that the IDOC should produce "grievances related to dental care and/or inmate transfers identified by Plaintiff based on a review of the [already produced] Stateville grievance logs...from April 2007 to April 2011." Plaintiff has just finished his review of the grievances produced by the IDOC Defendants on March 6-7, 2014 and is in the process of cross-referencing those grievances with the grievances listed in the Stateville grievance logs from the same time period. Plaintiff does NOT anticipate that the grievance logs will reveal dental and/or transfer related grievances in addition to the ones already produced, but to the extent that such grievances exist Plaintiff will identify them for counsel for the IDOC so that these grievances can be produced to Plaintiff. Again, counsel for Plaintiff does not anticipate that the cross-referencing of these documents will yield any grievances apart from those already produced in this case.

Depositions:

6. Plaintiff seeks a single additional deposition in this matter.

7. The review of the IDOC Defendants' grievance production has revealed a significant number of inmates who have grieved the issue of presenting at Stateville-NRC (upon

transfer from another IDOC facility) with a serious dental condition but being denied dental treatment and/or medication on the basis that their stay at Stateville-NRC was only temporary, despite languishing for many months at Stateville NRC (as Plaintiff did). This is a key allegation of Plaintiff's complaint. As such, Plaintiff seeks to depose a 30(b)(6) witness on this limited issue regarding the provision of dental care at Stateville-NRC.

Expert Discovery:

8. Plaintiff will not be disclosing a retained expert in this case.

RESPECTFULLY SUBMITTED,

/s/ Vincenzo Field
Attorneys for Plaintiff

Jon Loevy
Elizabeth Mazur
Vincenzo Field
LOEVY & LOEVY
312 North May St., Ste. 100
Chicago, IL 60607

CERTIFICATE OF SERVICE

I, Vincenzo Field, an attorney, certify that on March 24, 2014 I served this document on all counsel of record via the Court's ECF system.

/s/ Vincenzo Field